

Docket No. AMDP771US

H1310

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re **PATENT** application of:

Applicant: Kishore Karighattam et al.

Application No.: 10/701,092

For: A DYNAMIC INTER PACKET GAP GENERATION SYSTEM AND METHOD

Filing Date: November 4, 2003

Examiner: (unknown)

Art Unit: 2142

**AMENDMENT, PETITION AND FEE TO ADD TO ORIGINAL ERRONEOUSLY NOT
NAMED INVENTOR IN THE DECLARATION OF THE NON-PROVISIONAL PATENT
APPLICATION UNDER 37 C.F.R. § 1.48(a)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This amendment and petition is to correct the incorrect original naming of inventors in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on November 4, 2003.

Please add the following previously unnamed person as an inventor of this application:

Harish Vasudeva
8701 Bluffstone Cove #5204
Austin, Texas 78759

Attached hereto is a statement from Harish Vasudeva that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1). Also attached hereto is a declaration by each of the actual inventors as required by 37 C.F.R. § 1.63.

07/14/2004 WABDELRI 00000001 10701092

01 FC:1460 130.00 DP

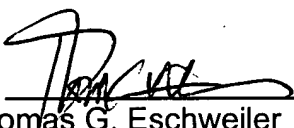
In addition, a written assent of the assignee is provided herewith to the change in inventorship in accordance with 37 C.F.R. § 1.48(a)(4), along with a form under 37 C.F.R. § 3.73 establishing ownership by the assignee of the above patent application.

Lastly, included herewith is a fee under 37 C.F.R. § 1.17(i) for consideration of the above petition.

Should the Examiner or petition office feel that a telephone interview would be helpful to facilitate favorable prosecution or consideration of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this request, the Commissioner is hereby authorized to charge the Deposit Account Number 50-1733.

Respectfully submitted,
ESCHWEILER & ASSOCIATES, LLC

By 
Thomas G. Eschweiler
Reg. No. 36,981

National City Bank Building
629 Euclid Avenue, Suite 1210
Cleveland, Ohio 44114
(216) 502-0600

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: July 8, 2004


Christine Gillroy

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re **PATENT** application of:

Applicant: Kishore Karighattam et al.
Application No.: 10/701,092
For: A DYNAMIC INTER PACKET GAP GENERATION SYSTEM AND METHOD
Filing Date: November 4, 2003
Examiner: (unknown)
Art Unit: 2142

ASSENT OF ASSIGNEE TO CORRECT INVENTORSHIP**UNDER 37 C.F.R. § 1.48(a)(4)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Advanced Micro Devices, Inc., a corporation of Delaware having a place of business at One AMD Place, P.O. Box 3453, Sunnyvale, California 94088-3453, U.S.A., is the assignee of the above-identified application, as evidenced by the assignment recorded on November 4, 2003, at reel 014670, frame 0352.

Assignee hereby assents to the correction of inventorship filed herewith. A statement under 37 C.F.R. § 3.73(b) is attached hereto.

Name: Paul S. Drake

Paul S. Drake

Title: Global IP Portfolio Counsel and Assistant Secretary
Advanced Micro Devices, Inc.Date: June 24, 2004

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Date: July 8, 2004Christine Gillroy
Christine Gillroy



If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Docket No. AMDP771US

H1310

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re **PATENT** application of:

Applicant: Kishore Karighattam et al.

Application No.: 10/701,092

For: A DYNAMIC INTER PACKET GAP GENERATION SYSTEM AND METHOD

Filing Date: November 4, 2003

Examiner: (unknown)

Art Unit: 2142

STATEMENT OF INVENTOR UNDER 37 C.F.R. § 1.48(a)(1)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Harish Vasudeva, an inventor of the present patent application, assert that the error in inventorship occurred without deceptive intention on my part.

Name: 

Date: 06/25/04

Harish Vasudeva



COMBINED DECLARATION AND POWER OF ATTORNEY
(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: **A DYNAMIC INTER PACKET GAP GENERATION SYSTEM AND METHOD**

the specification of which

- (a) _____ is attached hereto.
 (b) X was filed on November 4, 2003 as Serial No. 10/ 701,092 or Express Mail No. _____, as Serial No. not yet known, and was amended on _____ (if applicable).
 (c) _____ was described and claimed in PCT International Application No. _____ filed on _____ and amended under PCT Article 19 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56(a).

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed; also I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) that is/are listed below:

- (d) X no such applications have been filed.
 (e) _____ such applications have been filed as follows.

**EARLIEST FOREIGN OR PROVISIONAL APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
_____	_____	_____	____ Yes ____ No
_____	_____	_____	____ Yes ____ No
_____	_____	_____	____ Yes ____ No

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

SENT BY: AWD EPD MARKETING

: 6-25 4 : 9:58 : EPD MKTG. AUSTIN, TX-

08026643276:# 3/ 3

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Thomas G. Eschweiler, Registration No. 36,981
Eric M. Highman, Registration No. 43,472
Gregory J. Adams, Registration No. 44,494
William J. Cooper, Registration No. 44,629
John D. Reinhardt, Registration No. 54,988

Elizabeth A. Appertley, Reg. No. 36,428; Bradley Botsch, Reg. No. 34,552; Michael Caywood, Reg. No. 37,797;
Daniel R. Collopy, Reg. No. 33,667; Kent Cooper, Reg. No. 37,296; Paul S. Drake, Reg. No. 33,491; Keith Witak,
Reg. No. 37,475; Harry A. Wolin, Reg. No. 32,638.

The undersigned to this declaration and power of attorney hereby authorizes the U.S. attorney(s) named herein to accept and follow instructions from

Name(s) of authorized representative(s) _____

Address _____

as to any actions to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney(s) and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U.S. attorney(s) will be so notified by the undersigned.

Send Correspondence To:

Thomas G. Eschweiler, Esq.
Eschweiler & Associates, LLC
National City Bank Building
629 Euclid Avenue, Suite 1210
Cleveland, Ohio 44114

Direct Telephone Calls To:
(name and telephone number)

Thomas G. Eschweiler, Esq.
(216) 502-0600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued therein.

Full name of sole or first inventor, Prasad P. Padiyar

Inventor's signature: _____

Date: _____ Country of Citizenship: IndiaResidence: Austin, TexasPost Office Address: 3401 Parmer Lane West #2823Austin, Texas 78727**Full name of second joint inventor, Kishore Karighattam**Inventor's signature: K. KarighattamDate: 29th June 2004 Country of Citizenship: IndiaResidence: Austin, TexasPost Office Address: 8701 Bluffstone Cove #10104Austin, Texas 78759**Full name of third joint inventor, Harish Vasudeva**

Inventor's signature: _____

Date: _____ Country of Citizenship: IndiaResidence: Austin, TexasPost Office Address: 8701 Bluffstone Cove #5204Austin, Texas 78759

CHECK FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH
FORM A PART OF THIS DECLARATION

X This declaration ends with this page.

BEST AVAILABLE COPY

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Thomas G. Eschweiler, Registration No. 36, 981
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Gregory J. Adams, Registration No. 44,494
William J. Cooper, Registration No. 44,629
John D. Beinhardt, Registration No. 54,988

Elizabeth A. Apperley, Reg. No. 36,428; Bradley Botsch, Reg. No. 34,552; Michael Caywood, Reg. No. 37,797;
Daniel R. Collopy, Reg. No. 33,667; Kent Cooper, Reg. No. 37,296; Paul S. Drake, Reg. No. 33,491; Keith Witek,
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Address _____

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Cleveland, Ohio 44114

Direct Telephone Calls To: (name and telephone number)

Thomas G. Eschweiler, Esq.
(216) 502-0600

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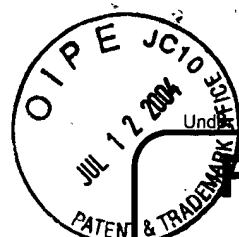
Full name of sole or first inventor, Prasad P. Padiyar
Inventor's signature: [Signature]
Date: 06/25/04 Country of Citizenship: India
Residence: Austin, Texas
Post Office Address: 3401 Parmer Lane West #2823
Austin, Texas 78727

Full name of second joint inventor, Kishore Karighattam
Inventor's signature: _____
Date: _____ Country of Citizenship: India
Residence: Austin, Texas
Post Office Address: 8701 Bluffstone Cove #10104
Austin, Texas 78759

Full name of third joint inventor, Harish Vasudeva
Inventor's signature: [Signature]
Date: 06/25/04 Country of Citizenship: India
Residence: Austin, Texas
Post Office Address: 8701 Bluffstone Cove #5204
Austin, Texas 78759

CHECK FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH
FORM A PART OF THIS DECLARATION

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 170.00

Complete if Known

Application Number	10/701,092
Filing Date	November 4, 2003
First Named Inventor	Kishore Karighattam et al.
Examiner Name	
Art Unit	2142
Attorney Docket No.	AMDP771US

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

50-1733

ESCHWEILER & ASSOCIATES, LLC

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	--

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Total Claims	Extra Claims	Fee from below	Fee Paid
		-20** =	X	
Independent Claims		-3** =	X	
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	130.00
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

170.00

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)

Thomas G. Eschweiler, Esq.

Registration No.
(Attorney/Agent)

36,981

Telephone

(216) 502-0600

Signature

Date

7/8/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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